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The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
Manhattan, New York

Re: *United States v. Otto Salguero Morales*, S5 15 Cr. 379

Dear Judge Castel,

I am submitting this letter in response to the Court's Minute Order of July 19, 2021, directing the parties to submit "blackout dates" the first quarter of 2022. In that regard, I do not have any dates during that time frame where I would be unavailable due to other professional commitments. Notwithstanding, I respectfully request that this Court not schedule the trial of this case before May of 2022. There are several reasons for this request.

First, the defense needs the additional time to conduct a thorough investigation of this case in order to prepare for trial. The task is enormously complicated because the events in this case allegedly took place in Honduras, Guatemala, Mexico and elsewhere, often in remote locations. The Moreover, the events allegedly took place many years ago. The world-wide COVID-19 pandemic has not abated and indeed, the spread of the delta variant has further limited the ability of the defense investigator to travel abroad.

Second, there is currently pending before the Court a Motion For A Bill of Particulars filed on behalf of my client Otto Salguero Morales, as well as one filed by co-defendant Ronald Salguero. The Government has not yet filed any Opposition and I will almost certainly be filing a reply memorandum. I anticipate filing additional motions in this case, including a challenge to the statute of limitations, the substantive weapons' offenses, and possibly others.

Third, I continue to experience significant problems arranging for "in person" visits with my client. The process of scheduling these meetings is complicated and at least on one occasion I confirmed an in person visit, traveled to New York, but was denied entry to the Metropolitan Correctional Facility. The jail is currently in a two week lock down and all legal visits have been cancelled. As a matter of professional responsibility I need to ensure that I have sufficient access and time to discuss this case with Mr. Salguero.

I want to assure the Court that my request for a trial in the second quarter of 2022 does not reflect any attempt to unnecessarily delay the proceedings. I make this request in good faith in order to adequately and vigorously represent my client.

Respectfully submitted

Robert Feitel

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All via ECF and email